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United States Court of Appeals

For the Seventh Circuit
Chicago, Illinois 60604

APR 18 2008

March 27, 2008

FILED

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MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

Before

DANIEL A. MANION, *Circuit Judge*

ANN CLAIRE WILLIAMS, *Circuit Judge*

No. 08-1194

FLORA KARALL,
Petitioner-Appellant,

v.

MARY SIGLER,
Respondent-Appellee.

Appeal from the United States District
Court for the Northern District of Illinois,
Eastern Division.

07cv6125
No. 07 C 6125

Rebecca R. Pallmeyer,
Judge.

ORDER

Flora Karall was convicted in 1995 of soliciting a murder for hire; she was sentenced to 32 years' imprisonment. After an unsuccessful appeal, Karall twice sought postconviction relief in the Illinois courts and spent more than two years pursuing executive clemency, all without success. Karall then filed in federal court a petition under 28 U.S.C. § 2254, which the district court denied as untimely. This court denied certification of an appeal, No. 05-3633 (7th Cir. Dec. 20, 2005).

Karall then filed a second § 2254 petition without seeking prior approval from this court. She says she recently discovered that the written statements of various witnesses are not in the state trial court's case file. She concludes, therefore, that the statements never existed, that she was arrested without probable cause, and that the state's attorneys committed prosecutorial misconduct in violation of her constitutional rights. The district court dismissed Karall's petition because it is an unauthorized second collateral attack on her conviction.

Karall has filed a notice of appeal, along with an application for a certificate of

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appealability. This court has reviewed the final order of the district court and the record on appeal. We find no substantial showing of the denial of a constitutional right. See 28 U.S.C. § 2253(c)(2). The district court correctly dismissed Karall's petition because it lacked jurisdiction to consider it. See *United States v. Carraway*, 478 F.3d 845 (7th Cir. 2007).

Accordingly, the request for a certificate of appealability is DENIED. Karall's motion for appointment of counsel also is DENIED.